

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hogan
Serial No.: 09/976,423 Group No.: 1634
Filed: 10/21/2001 Examiner: Goldberg
Entitled: **METHODS AND COMPOSITIONS FOR PERIOPERATIVE
GENOMIC PROFILING**

**RESPONSE TO OFFICE ACTION OF
JANUARY 13, 2010**

EFS Web Filed
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner:

The following communication is responsive to the Office Action mailed January 13, 2010. This communication is also being filed with a Request for Extension of Time to extend the period for responding by 3 months, together with the appropriate fee. The

Commissioner is hereby authorized to charge any fees during the entire pendency of this application, including fees due under 37 C.F.R. §§ 1.16 and 1.17 that may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-4302, referencing Attorney Docket No. HOGAN-06650. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

STATUS OF THE CLAIMS begins on page 2 of this document.

REMARKS begin on page 9 of this document.